G. R. S. 58]

Previous references.

File No. 205-14

1914. 15

Serial Nos. (1)

(Court)

Later references.

Preserve for 31/7/16

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. (1)

Part B for Aug. 15

SUBJECT.

Police Cases in Talukas.

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1) To The Regr Chpd } J 637-8.
" Secry. Jud Conf } dy 9.8.15

States that the Amildar taking part in the investigation of a case is precluded by standing orders from trying the case

GPB—10,000—23-3-15

M. Ghani
27.8.15.

G. R. S. 11] 1914 15

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 205-74

FILE HEADING.

Police cases in Calcutta.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—20,100 - 8 5-14

(2

R. S. 12]

General and Revenue Secretariat. | G5 File No. 205 of 1914-15

Serial No.

12. That the Amildars may be prohibited from trying the Police charge-sheet cases of their taluks.

Read G 15-1-1915

1) Forwarded unofficially to the Registrar, Chief Court, for favour of obtaining the opinion of the Judges of the Chief Court on the above resolution of the Judicial Conference of 1914.

By order
S Srinivasachar

W. O. 150-14

3875
263
47 27.2.15

11th Jan 1915.

For Chief Secretary

The Chief Judge : - 2) I am decidedly in favour of the resolution, and would not except any cognizable case however petty. I recognise that to accept the resolution in practice some provision must be made for the trial of these cases. There would be no difficulty about that if the Government could find funds to employ Magistrates of a standing similar to that of Munsiffs and put them all except the District Magistrates under the Sessions Judges. But it is a question of finance in the main. A cheaper alternative is to deprive the Amildars of police powers, and I confess I do not see what harm that would do. If their police functions are as described in the 1st paragraph

NOTE—Contn. sheet.

GPB—25,000—2-11 14

Serial No.

paragraph of the Mysore District Judge's letter they do not seem to be of such great importance that the Superintendent and the Inspector with the District Magistrate could not do them.

21-2-15.

Mr. Justice K.S. Chandrasekhara Aiyar :-

3) I think the people of Mysore would strongly object to the Taluk Police being removed from the supervision of the Amildars, who are now ex-officio heads of the taluk office; and I am not sure if they have not good reasons for that objection. The police are regarded with a certain measure of suspicion as unscrupulous and oppressive (a feeling by no means confined to Mysore); and it is felt to be an advantage and a safeguard that they should be placed under a class of officers who, having to deal with so many different departments of work as Amildars in Mysore, are acquainted with the needs and conditions of the people generally and are likely to sympathise with them.

4) Such being the case, I would prefer to see Amildars relieved of their magisterial work, rather than of their police duties; but that depends on financial considerations which must be left to the Government to deal with. As regards the particular proposal before us, I am on principle in favour of it. 24-2-15.

NOTE—Contn. sheet.

GPB—25,000—2-11-14

(4

G. R. S. 12]

General and Revenue Secretariat. | C5 File No. 205 of 1914. 15

Serial No.

Mr. Justice T. Paramasiva Iyer : -

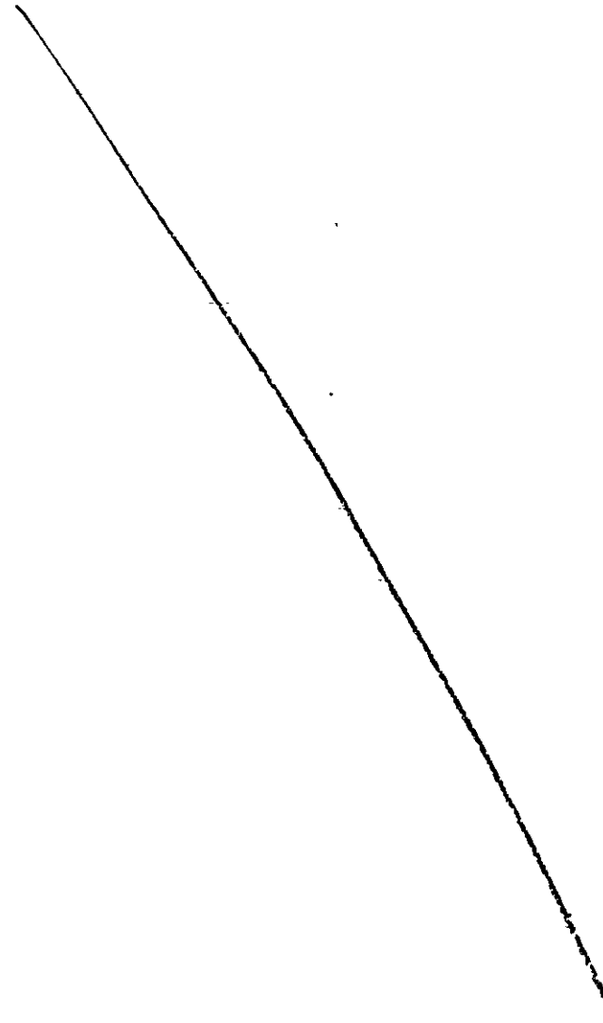
S I agree. I had a talk with the late Sir K. Sheshadri Iyer on this subject nearly 20 years ago and this was also the opinion of that great man.

25-2-15.

T. Paramasiva Iyer

REGISTRAR.

Ant



NOTE—Contn. sheet.

P.T.O

GPB—25.000—2-1-14

5

Serial No.

K
Pol 273-13-1

6) On a similar representation made by the Representative Assembly it was ordered that it was inexpedient to adopt the proposal.

7) On principle the Judges are in favour of it. The Chief Judge advocates the separation of the Police powers from the Amildar while M.V. Govinda Chandrasekhara Iyer is in favour of separating the magisterial functions. The latter question is separately under consideration and the former was thoroughly discussed at the time of the passing of the Police Regulation. The final decision arrived at is that the Amildar should be the Head of the Taluk Police. Laid for orders.

7/7/15

8) Put up draft on the lines of the one framed by the First Member in regards the Dasara Representation.

7/7/15

9) Draft put up.

7/10/15

10) The principle of the resolution is admittedly sound, but it forms part of the general question of Separation of the judicial from Executive functions.

File re passing of the Police Regn and a copy of the report of a Special Committee appointed to Consider the Regn are put up — 15

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12] 17

General and Revenue Secretariat.

Ch File No. 205 of 1914.

Serial No.

11) The question is one purely of funds.

ES
7/7/15

First Member

Draft slightly altered and approved by First member
MTS 5. 8. 15.

Done
GW 6/V

12) Done
ES
6/8

881. To The Registrar, Chief Court.
The Secretary, Judl Conference.
No. J. 637-8 dt 9-8-15.

~~Sir~~ I am directed to say that the Assistant taking part in the investigation of a case is precluded by standing orders from deputing 's case.

NOTE—Contn. sheet.

GPB—25,000—2-11-14

Passing orders on Resolution no. 12 of the 1st Judicial Conference.

G.R.S. 28] 2/18

Ch File No. 205-14
Serial No. 1

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

, the 19

Date of issue 9-8-1915.

Signed by Asst. G. Srinivasaiya

READ—

Resolution no 12 of the previous Conference held in 1914 recommending that Amildars may be prohibited from trying Police Charge sheet cases of their Taluks.

ORDER THEREON.—No. J 637-8.

The Amildar ~~investigating~~ taking part in the investigation of a case is precluded by standing orders from trying the case and Govt do not consider it expedient to ~~adopt the suggestion made~~ so further at present.

over.

SUBJECT.

GPB—10,000-29-9-10

2/10/16

made in the resolution read above.

For Secy

To

The Reporter, Chief Court

The Secy. Judicial Conference.

5/8/15

Copy to the Press Room →

5/7/15